

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

EMMANUEL C. GONZALEZ

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§

v.

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§

INFOSTREAM GROUP, INC.

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Case No. 2:14-CV-906-JRG-RSP

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**Pretrial Conference**

**MAG. JUDGE ROY PAYNE PRESIDING**

**February 3, 2016**

**OPEN: 1:45 pm**

**ADJOURN: 5:45 pm**

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ATTORNEYS FOR PLAINTIFF:

Scott Fuller  
Jason Mueller  
Paul Lein  
Darrien Campbell

ATTORNEY FOR DEFENDANTS:

Nicholas Brown  
Steve Ullmer

LAW CLERK:

Richard Chen

COURT REPORTER:

Jill McFadden

COURTROOM DEPUTY:

Becky Andrews

Court opened. Case called. Scott Fuller announced ready for plaintiff and introduced co-counsel. Nicholas Brown announced ready for defendants and introduced co-counsel.

Jury Selection will be February 8, 2016 at 9:00 a.m. before Judge Gilstrap. There is one case ahead of this case at this time. Two juries may be selected and this case may go to trial on the following Tuesday, February 16, 2016. The parties will have 30 minutes per side for voir dire. Eight jurors will be seated. The parties will have four preemptory strikes each side. The parties will have 25 minutes for opening statements and 30 minutes for closing arguments. The parties will be allowed 7 hours of evidence per side.

The jury questionnaires will be available Thursday, February 4, 2016 through the District Clerk's office.

The parties will provide 10 juror notebooks at the beginning of the trial. Each notebook shall contain a sheet with a photo of each witness with the name under the photo and lines for taking notes, a copy of the patent, the Court's claim construction and a 3-hole punched note pad.

The Court will be available at 7:30 a.m. each morning. The parties are instructed to disclose each day the order of the witnesses for the following day. Deposition designation disputes shall be brought to the Court's attention the morning of the day before the day of use. The parties and their witnesses are instructed to avoid using first names only in referring to others.

The Court heard objections to the motions in limine for both sides. The Court made rulings and carried certain motions.

The Court heard argument on Plaintiff's Emergency Motion to Strike (Dkt. No. 129). The motion was granted.

The parties then began arguments on objections to exhibits. The Court made rulings.

After the break for the parties to meet and confer, Nick Brown informed the Court that there are no more objections to the deposition designations.

Pre-admitted exhibits that can be used at trial do not become part of the record until they are used. Each morning the parties will read into the record the exhibits used the previous day.

The parties are instructed to file new, updated exhibit lists by noon on Friday, February 5, 2016.